

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JULIET S. SARIOL.

Plaintiff,

V.

UNITED STATES OF AMERICA and
NORTH ATLANTIC TREATY
ORGANIZATION.

Defendants.

CASE NO. 19-0155MJP

ORDER OF DISMISSAL

THIS MATTER comes before the Court on Plaintiff Juliet S. Sariol's Motion to Proceed
pro Se. (Dkt. No. 5.) While the Motion was granted, United States Magistrate Judge
Alice Theiler recommended review under 28 U.S.C. § 1915(e)(2)(B) prior to issuance of a
final judgment. (Dkt. No. 6.)

Plaintiff's Complaint states a claim for "civil theft conversion of property under historical circumstance statute of time limitations and counter claiming informal civil proceeding in pursuant to 5 U.S.C.A. (a, b, c, d) Public information, agency rules, opinions, orders, records and

1 proceedings.” (Dkt. No. 7.) The Complaint names as Defendants the United States of America
2 and the North Atlantic Treaty Organization. (Id.) While the Complaint includes a lengthy
3 “Statement of Case,” it is unintelligible and the Court is unable to comprehend the basis for the
4 claim. (Id.) In what appears to be a statement of the relief sought, Plaintiff asks that the Court
5 “exercise her 5th amendment, expeditious process rights and subject to trier of facts, Habeas
6 Corpus and the Execution and issuance of writs and subpoena to the Sheriff’s or the appropriated
7 Agency and request of Emergency Interim injunctive relief upon fashionable careful review time
8 of the case.” (Id.)

9 Fed. R. Civ. P. 8(a) provides that in order to state a claim for relief, a complaint must
10 contain a short and plain statement of the grounds for the court’s jurisdiction, a short and plain
11 statement of the claim showing that the claimant is entitled to relief, and a demand for the relief
12 sought. The factual allegations of a complaint must be “enough to raise a right to relief above
13 the speculative level.” Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007). In addition,
14 the factual allegations of a complaint must state a claim for relief that is plausible on its face.
15 Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009). A claim is plausible on its face “when the plaintiff
16 pleads factual content that allows the court to draw the reasonable inference that the defendant is
17 liable for the misconduct alleged.” Id.

18 Pursuant to 28 U.S.C. § 1915(e)(2)(B), the district court is required to dismiss a case “at
19 any time” if it determines that a complaint is frivolous or fails to state a claim upon which relief
20 may be granted. Here, the Court is unable to comprehend Plaintiff’s Complaint, and finds that it
21 fails to state a claim for relief that is plausible on its face.

22 Accordingly, the Court hereby DISMISSES this case without prejudice and declines to
23 issue the summons. As Plaintiff is representing herself *pro se*, the Court directs her to the
24

Western District of Washington's Pro Se Guide for litigants who are proceeding without an attorney, available at www.wawd.uscourts.gov/representing-yourself-pro-se for instructions on how to file briefs and other motions, and for other useful information.

The clerk is ordered to provide copies of this order to Plaintiff.

Dated February 25, 2019.



Marsha J. Pechman
United States District Judge